

## Debate on the President's Protest.

### SPEECH OF MR. WEBSTER.

In the Senate of the U. S., May 7, 1884.

[CONCLUDED.]

Having claimed for the Executive the special guardianship of the Constitution, the protest proceeds to present a summary view of the powers which are supposed to be conferred on the Executive by that instrument. And it is to this part of the message, sir, that I would, more than to all others, call the particular attention of the Senate. I confess, that it was only upon careful perusal of the paper, that I perceived the extent to which its assertions of power reach. I do not speak, now, of the President's claims of power, as opposed to legislative authority, but of his opinions as to his own authority, duty, and responsibility, as connected with all other officers under the Government. He is of opinion that the whole executive power is vested in him, and that he is responsible for its entire exercise; that, among the duties imposed on him, is that of "taking care that the laws be faithfully executed;" and that "being thus made responsible for the entire action of the executive department, it was but reasonable that the power of appointing, overseeing, and controlling those who execute the laws—a power in its nature executive—should remain in his hands. It is, therefore, not only his right, but the Constitution makes it his duty, to nominate, and by and with the advice and consent of the Senate appoint, all officers of the United States whose appointments are not in the constitution otherwise provided for," with a proviso that the appointment of inferior officers may be vested in the President alone, in the courts of justice, or in the heads of departments.

The first proposition, then, which the protest asserts, in regard to the President's powers, as Executive Magistrate, is, that the general duty being imposed on him by the constitution, of taking care that the laws be faithfully executed, he thereby becomes himself responsible for the conduct of every person employed in the Government; for the entire action, as the paper expresses it, "of the executive department." This, sir, is very dangerous logic. I reject the inference altogether. No such responsibility, nor any thing like it, follows from the general provision of the Constitution, making it his duty to see the laws executed. If it did, we should have, in fact, but one officer in the whole Government. The President would be every body. And the protest assumes to the President this whole responsibility for every other officer, for the very purpose of making the President every body, of annihilating every thing like independence, responsibility, or character in all other public agents. The whole responsibility is assumed, in order that it may be more plausibly argued that all officers of Government are, not agents of the law, but the President's agents, and therefore responsible to him alone. If he be responsible for the conduct of all officers, and they be responsible to him only, then it may be maintained that such officers are but his own agents, his substitutes, his deputies. The first thing to be done, therefore, is to assume the responsibility for all; and this, you will perceive, sir, is done, in the fullest manner, in the passages which I have read. Having thus assumed for the President the entire responsibility of the whole Government, the protest advances boldly to its conclusion, and claims, at once, absolute power over all individuals in office, as being merely the President's agents. This is the language:—"The whole executive power being vested in the President, who is responsible for its exercise, it is a necessary consequence that he should have a right to employ agents of his own choice, to aid him in the performance of his duties, and to discharge them when he is no longer willing to be responsible for their acts."

This, sir, completes the work. This handsomely rounds off the whole executive system of executive authority. First, the President has the whole responsibility; and, then, being thus responsible for all, he has, and ought to have, the whole power. We have heard of political units, and our American Executive, as here represented, is, indeed, a unit. We have a charmingly simple Government! Instead of many officers in different departments, each having appropriate duties, and each responsible for his own duties, we are so fortunate as to have to deal with but one officer. The President carries on the Government; all the rest are but sub-contractors. Sir, whatever name we give him, we have but ONE EXECUTIVE OFFICER.

A Bizarre site in the centre of our system, and with his hundred hands touches every thing, moves every thing, controls every thing. I ask, sir, is this republicanism? Is this a Government of laws? Is this legal responsibility?

According to the protest, the very duties, which every officer under the Government performs, are the duties of the President himself. It says that the President has a right to employ agents of his own choice, to aid him in the performance of his duties.

Mr. President, if these doctrines be true, it is idle for us any longer to talk about any such thing as a government of laws. We have no government of laws, not even the semblance or shadow of it;

we have no legal responsibility. We have an Executive, consisting of one person, wielding all official power, & which is, to every effectual purpose, completely irresponsible. The President declares that he is "responsible for the entire action of the executive department." Responsible? What does he mean by being "responsible?" Does he mean legal responsibility? Certainly not. No such thing. Legal responsibility signifies liability to punishment for misconduct or maladministration. But the protest does not mean that the President is liable to be impeached and punished, if a Secretary of State should commit treason, if a collector of the customs should be guilty of bribery, or if a Treasurer should embezzle the public money. It does not mean, and cannot mean, that he should be answerable for any such crime, or any such delinquency. What, then, is its notion of that responsibility, which it says the President is under for all officers, and which authorizes him to consider all officers as his own personal agents? Sir, it is merely responsibility to public opinion. It is a liability to be blamed; it is the chance of becoming unpopular—the danger of losing a re-election. Nothing else is meant in the world. It is the hazard of failing in any attempt or enterprise of ambition. This is all the responsibility to which the doctrines of the protest hold the President subject.

It is precisely the responsibility under which Cromwell acted, when he dispersed Parliament, telling its members, not in so many words, indeed, that they disobeyed the will of their constituents, but telling them that the People were sick of them, and that he drove them out "for the glory of God, and the good of the nation." It is precisely the responsibility upon which Bonaparte broke up the popular assembly of France. Is do not mean, sir, certainly, by these illustrations, to insinuate designs of violent usurpations against the President: far from it; but I do mean to maintain that such responsibility as that with which the protest clothes him, is no legal responsibility, no constitutional responsibility, no republican responsibility; but a mere liability to loss of office, loss of character, and loss of fame, if he shall choose to violate the laws, and overturn the liberties of the country. It is such a responsibility as leaves every thing in his discretion, and his pleasure.

Sir, it exceeds human belief that any man should put sentiments, such as this paper contains, into a public communication from the President to the Senate. They are sentiments which give us all one master. The protest asserts an absolute right to remove all persons from office, at pleasure; and for what reason? Because they are incompetent? Because they are incapable? Because they are remiss, negligent, or inattentive? No, sir, these are not the reasons. But he may discharge them, one and all, simply because "he is no longer willing to be responsible for their acts!" It insists on an absolute right in the President to direct and control every act of every officer of the Government, except the Judges. It asserts this right of direct control over and over again. "The President may go into the Treasury, among the auditors and comptrollers; and direct them how to settle every man's account; what abatements to make from one, what additions to another." He may go into the custom house, among collectors and appraisers, and may control estimates, reductions & appraisements. It is true, that these officers are sworn to discharge the duties of their respective offices honestly and fairly, according to their own best abilities;—it is true, that many of them are liable to indictment for official misconduct, and others responsible, in suits of individuals, for damages and penalties, if such official misconduct be proved; but notwithstanding all this, the protest avers that all these officers are but the President's agents, that they are but aiding him in the discharge of his duties, that he is responsible for their conduct, and that they are removable at his will and pleasure. And it is under this view of his own authority, that the President calls the secretaries his secretaries, not once only, but repeatedly.

After half a century's administration of this Government, sir; after we have endeavored, by statute upon statute, and by provision following provision, to define and limit official authority; to assign particular duties to particular public servants; to define those duties; to create penalties for their violation; to adjust accurately the responsibility of each agent, with his own powers and his own duties; to establish the prevalence of equal rule; to make the law, as far as possible, every thing, and individual will, as far as possible, nothing; after all this, the astounding assertion rings in our ears, that, throughout the whole range of official agency, in its smallest ramifications, as well as in its larger masses, there is but ONE RESPONSIBILITY, ONE DISCRETION, ONE WILL!—True, indeed, is it, sir, if these sentiments be maintained, true, indeed, is it, that a President of the United States may well repeat from Napoleon, what he repeated from Louis the 14th, "I am the State."

The argument by which the writer of the protest endeavors to establish the President's claim to this vast mass of accumulated authority, is founded on the provision of the Constitution that the Executive power shall be vested in the President; but what, and how much executive

power, and how limited? To this question I should answer, look to the Constitution and see; examine the particulars of the grant, and learn what that executive power is, which is given to the President, either by express words or by necessary implication. But so the writer of this protest does not reason. He takes these words of the Constitution as being, of themselves, a general original grant of all executive power to the President, subject only to such express limitations as the Constitution prescribes. This is clearly the writer's view of the subject, unless, indeed, he goes behind the Constitution altogether, as some expressions would intimate, to search elsewhere for sources of executive power. Thus the protest says, that it is not only the right of the President, but that the Constitution makes it his duty, to appoint persons to office; as if the right existed before the Constitution created the duty. It speaks, too, of the power of removal, not as a power granted by the constitution, but expressly as "an original executive power left unchecked by the Constitution." How original? Coming from what source higher than the constitution? I should be glad to know how the President gets possession of any power by a title earlier, or more original, than the grant of the Constitution; or what is meant by an original power, which the President possesses, and which the Constitution has left unchecked, in his hands. The truth is, sir, most assuredly, that the writer of the protest, in these passages, was reasoning upon the British Constitution, and not upon the Constitution of the United States. Indeed, he professes to found himself on authority, drawn from the Constitution of England. I will read, sir, the whole passage. It is this:

"In strict accordance with this principle, the power of removal, which, like that of appointment, is an original executive power, is left unchecked by the Constitution in relation to all executive officers, for whose conduct the President is responsible; while it is taken from him in relation to judicial officers, for whose acts he is not responsible. In the Government from which many of the fundamental principles of our system are derived, the head of the executive department originally had power to appoint and remove at will all officers, executive and judicial. It was to take the judges out of this general power of removal, and thus make them independent of the Executive, that the tenure of their offices was changed to good behavior. Nor is it conceivable why they are placed, in our constitution, upon a tenure different from that of all other officers appointed by the Executive, unless it be for the same purpose."

Mr. President, I do most solemnly protest (if I too may be permitted to make a protest) against this mode of reasoning. The analogy between the British Constitution and ours, in this respect, is not close enough to guide us safely; it can only mislead us. It has entirely misled the writer of the protest. The President is made to argue, upon this subject, as if he had some right anterior to the Constitution, which right is, by that instrument, checked, in some respects, and, in other respects, is left unchecked; but which, nevertheless, still derives its being from another source; just as the British King had, in the early ages of the monarchy, an uncontrolled right of appointing and removing all officers at pleasure; but which right, so far as it respects the Judges, has since been checked and controlled by act of Parliament; the right being original and inherent, the check only imposed by law. Sir, I distrust altogether British precedents, authorities, and analogies, on such questions as this. We are not inquiring how far our Constitution has imposed checks on a pre-existing authority. We are inquiring what extent of power that Constitution has granted. The grant of power, the whole source of power, as well as the restrictions and limitations which are imposed on it, is made in and by the Constitution. It has no other origin. And it is this, sir, which distinguishes our system so very widely and materially from the systems of Europe. Our Governments are limited Governments, limited in their origin, in their very creation; limited, because none but specific powers were ever granted either to any department of Government, or to the whole. They are limited, whenever limited at all, by reason of restraints, imposed at different times, on Governments originally unlimited and despotic. Our American questions, therefore, must be discussed, reasoned on, decided, and settled, on the appropriate principles of our own Constitutions, and not by inapplicable precedents, and loose analogies, drawn from foreign States.

Mr. President, in one of the French comedies, as you know, in which the dullness and prolixity of legal argument is intended to be severely satirized, while the advocate is tediously groping among ancient lore, having nothing to do with the case, the judge grows impatient, and at last cries out to him to come down to the point! I really wish, sir, that the writer of this protest, since he was discussing matters of the highest importance to us as Americans, and which arise out of our own peculiar Constitution, had kept himself, not only on this side the general deluge, but also on this side the Atlantic. I desire that all the broad waves of that sea should continue to roll between us and

the influence of those foreign principles and foreign precedents, which he so eagerly adopts.

In asserting power for an American President, I prefer he should attempt to maintain his assertions on American reasons. I know not, sir, who the writer was, (I wish I did); but, whoever he was, it is manifest that he argues this part of his case, throughout, on the principles of the Constitution of England. It is true, that in England the King is regarded as the original fountain of all honor and all office; and that anciently, indeed, he possessed all political power of every kind. It is true that this mass of authority, in the history of that Government, has been diminished, restrained, and uncontrolled by charters, by immunities, by grants, and by various modifications, which the friends of liberty have, at different periods, been able to obtain or to impose. All liberty, as we know, all popular privileges, as, indeed, the word itself imports, were formerly considered as favors and concessions from the monarch. But whenever and wherever civil freedom could get a foothold, and could maintain itself, these favors were turned into rights. Before and during the reigns of the princes of the Stuart family, they were acknowledged only as favors or privileges, graciously allowed, although, even then, whenever opportunity offered, as in the instance to which I alluded just now, they were contended for as rights; and by the revolution of 1688, they were acknowledged as rights in England, by the prince who ascended the throne, and as the condition on which he was allowed to sit upon it. But, without there never was a time when we acknowledged original, unrestrained, sovereign power over us. Our Constitutions are not made to limit and restrain pre-existing authority. They are the instruments by which the people confer power on their own servants. If I may use a legal phrase, the people are grantors, not grantees. They give to the Government, and to each branch of it, all the power it possesses, or can possess; and what is not given, they retain. In England, before her revolution, and in the rest of Europe since, if we would know the extent of liberty or popular right, we must go to grants, to charters, to allowances, and indulgences. But with us, we go to grants and to constitutions to learn the extent of the powers of Government. No political power is more original than the Constitution; none is possessed which is not there granted; and the grant, and the limitations in the grant, are in the same instrument.

The powers, therefore, belonging to any branch of our Government, are to be construed and settled, not by remote analogies, drawn from other Governments, but from the words of the grant itself, in their plain sense and necessary import, and according to an interpretation consistent with our own history, and the spirit of our own institutions. And I will never agree that a President of the U. States holds the whole undivided power of office in his own hands, upon the theory that he is responsible for the entire action of the whole body of those engaged in carrying on the Government, and executing the laws. Such a responsibility is purely ideal, delusive, and vain. There is, there can be, no substantial responsibility, any farther than every individual is answerable, not merely in the opinion of mankind, but to the law, for the faithful discharge of his own appropriate duties. Again and again we hear it said that the President is responsible to the American people. That he is responsible to the bar of public opinion! For whatever he does, he assumes accountability to the American people! For whatever he omits, he expects to be brought to the high bar of public opinion! And this is thought enough for a limited, restrained, Republican Government! An undefined, undefinable, ideal responsibility to the public judgment!—Sir, if all this mean any thing, if it be not empty sound, it means no less than that the President may do any thing and every thing which he may expect to be tolerated in doing. He may go just so far as he thinks it safe to go; and Cromwell and Bonaparte went no farther. I ask again, sir, is this legal responsibility? Is this the true nature of a Government with written laws and limited powers? And allow me, sir, to ask, too, if an Executive Magistrate, while professing to act under the constitution, is restrained only by this responsibility to public opinion, what prevents him, on the same responsibility, from proposing a change in that constitution? Why may he not say "I am about to introduce new forms, new principles, and with a new spirit; I am about to try a political experiment, on a great scale; and when I get through it, I shall be responsible to the American people, I shall be answerable to the bar of public opinion?"

Connected, sir, with the idea of this airy and unreal responsibility to the public, is another sentiment, which, of late, we hear frequently expressed; and that is, that the President is the direct representative of the American People. This is declared in the protest in too many words:—"The President," says the protest, "is the direct representative of the American People." Now, sir, this is not the language of the Constitution. The Constitution nowhere calls him the representative of the American People, still less their direct representative. It could

not do so with the least propriety. He is not chosen directly by the People, but by a body of electors, some of whom are chosen by the People, and some of whom are appointed by the State Legislatures. Where, then, is the authority for saying that the President is the direct representative of the American People? The Constitution calls the members of the other House Representatives, and declares that they shall be chosen by the People; and there are no other direct or immediate representatives of the People in this Government. The Constitution denominates the President simply the President of the U. States; it points out the complex mode of electing him, defines his powers and duties, and imposes limits and restraints on his authority. With these powers and duties, and under these restraints, he becomes, when chosen, President of the U. States. That is his character, and the denomination of his office. How is it, then, that, on this official character, thus cautiously created, limited, and defined, he is to engrail another, and a very imposing character of the direct representative of the American People? I hold this, sir, to be mere assumption, and dangerous assumption. If he is the representative of all the American People, he is the only representative which they all have. Nobody else presumes to represent all the People. And if he may be allowed to consider himself as the sole representative of the AMERICAN PEOPLE, and is to act under no other responsibility than such as I have already described, then, I say, sir, that the Government (I will not say the People) has already a master. I deny the sentiment, therefore, and I protest against the language; neither the sentiment nor the language is to be found in the Constitution of the country; and whoever is not satisfied to describe the powers of the President in the language of the Constitution, may be justly suspected of being as little satisfied with the powers themselves.

The President is President. His office and his name of office are known, and both are fixed and described by law. Being commander of the Army and Navy, holding the power of nominating to office and removing from office, and being, by these powers, the fountain of all patronage and all favor, what does he not become if he be allowed to superadd to all this, the character of single representative of the American People? Sir, he becomes, what America has not been accustomed to see, what this Constitution has never created, and what I cannot contemplate but with profound alarm. He who may call himself the single representative of a nation, may speak in the name of the nation; may undertake to wield the power of the nation; and who shall gainsay him, in whatsoever he chooses to pronounce as the nation's will?

I will now, sir, ask leave to recapitulate the general doctrines of this Protest, and to present them together. They are:—

That neither branch of the Legislature can take up, or consider, for the purpose of censure, any official act of the President, without some view to legislation or impeachment.

That not only the passage, but the discussion of the resolution of the Senate of the 28th of March, was unauthorized by the Constitution, and repugnant to its provisions;

That the custody of the public treasury always must be entrusted to the Executive; that Congress cannot take it out of his hands, nor place it anywhere, except with such superintendents and keepers as are appointed by him, responsible to him, and removable at his will;

That the whole Executive power is in the President, and that, therefore, the duty of defending the integrity of the Constitution results to him from the very nature of his office; and that the founders of our Republic have attested their sense of the importance of this duty, and, by expressing it in his official oath, have given to it peculiar solemnity and force;

That, as he is to take care that the laws be faithfully executed, he is thereby made responsible for the entire action of the executive department, with power of appointing, overseeing, and controlling those who execute the laws;

That the power of removal from office, like that of appointment, is an original Executive power, and is left in his hands, unchecked by the Constitution, except in the cases of judges; that, being responsible for the exercise of the whole Executive power, he has a right to employ agents of his own choice, to assist him in the performance of his duties, and to discharge them when he is no longer willing to be responsible for their acts;

That the Secretaries are his Secretaries and all persons appointed to offices created by law, except the judges, his agents, responsible to him, and removable at his pleasure;

And, finally, that he is the direct representative of the American people.

These, sir, are some of the leading propositions contained in the protest; and if they be true, then the Government under which we live is an elective monarchy. It is not yet absolute; there are yet some checks and limitations in the Constitution and laws; but on its essential and prevailing character it is an elective monarchy.

Mr. President, I have spoken freely of this protest, and of the doctrines which it advances; but I have said nothing which I do not believe. On these high questions of Constitutional law, respect for

my own character, as well as a solemn and profound sense of duty, restrains me from giving utterance to a single sentiment which does not flow from entire conviction. I feel that I am not wrong. I feel that an honest and unbiassed love of Constitutional liberty, and some study of our political institutions, have not, on this occasion, misled me. But I have desired to say nothing that should give pain to the Chief Magistrate personally. I have not sought to fix arrows in his breast; but I believe him mistaken, altogether mistaken, in the sentiments which he has expressed; and I must concur with others in placing on the records of the Senate my disapprobation of those sentiments. On a vote, which is to remain so long as any proceeding of the Senate shall last, and on a question which can never cease to be important while the Constitution of the country endures, I have desired to make public my reasons. They will now be known, and I submit them to the judgment of the present and of after times. Sir, the occasion is full of interest. It cannot pass off without leaving strong impressions on the character of public men. A collision has taken place, which I could have most anxiously wished to avoid; but it was not to be shunned. We have not sought this controversy; it has met us, and been forced upon us. In my judgment, the law has been disregarded, and the Constitution transgressed; the fortress of liberty has been assaulted, and circumstances have placed the Senate in the breach; and, although we may perish in it, I know we shall not fly from it. But I am fearless of consequences. We shall hold on, sir, and hold out, till the People themselves come to its defence. We shall raise the alarm, and maintain the post, till they, whose right it is, shall decide whether the Senate be a faction, wantonly resisting lawful power, or whether it be opposing, with firmness and patriotism, violations of liberty and inroads upon the Constitution.

## Major Downing—again!

SENATE CHAMBER.

WASHINGTON, June 14th, 1884.

To my old friend Mr. Dwight of the New York Advertiser.

Ever since I got back here from New York, where I went to duces tecum some of them Pet Banks, as I told you in my last letter, I have got more than 50 letters from different folks, all wanting to know when I was coming out with my "report." But you see it aint my way to blab right out to all creation all the information I get especially when it is plaguy tough work to get it—you know I tell'd when I was in New York, that you mustn't be sharp set out hearin' any thing from me about the examination of the pet banks until I had tell'd the Senate all I know'd, and let them take it up first, as I am in their service now. When I got back here I found the hull Senate busy with the post office accounts. And their haint been no room yet for me to wedge in my "report"—and I don't see that there will be room yet for a good spell—for as soon as the Senate got through the Post Office concerns, some on 'em turned rite to and are going to look up the Land Office, and the Injin affairs, and the Contracts—and the Custom house business.

There is ugly work yet to git threw, and if the people only know'd as much as I do, what a plaguy luff time some of the Senators have in trackin out this business, they'd think it warn't an amazin easy of fee to be in—its had enuf to track a fox over a clean open field when the dogs are all well train'd,—but to follow him threw all manner of doubts and twisins, and briars, and marshes, sometimes over rivers and creeks, and then agin crossin swamps and stubble, and a parcel of dogs belongin to other folks yelpin and barkin on wrong tracks, just to mislead the true noses, then I tell you it is plaguy hard work. But we have got some rale good leaders now, and they have got their noses on the right track, and tho' they may be puzzled a spell, they'll go on till the old fox is driv rite into his last hole; and if there is a brush left to him they'll have it.

I see the folks are a good deal struck up about the Post Office business; it warn't nothin new to me, and I suppose you neither; for in my letter to you of 16th January last, you'll see them accounts of the Post Office made me split up more than three and a half cords of hickory one night, jest tryin to straiten 'em for the General. The worst on't is, the Senate can't find out the hull matter, they can only find what "the Government" can't hide; but there is a good deal yet to be search'd up. I don't like to guess about it, for that aint my natur; but as far as I can calculate, you'll see afore long that this Post office business aint nothin worth thinkin on, when you come to see what a plagy hole "glory and reform" has made in some other offices.

I tell'd you two or three times afore, in some of my letters, the notion I got in my head why the General was so keen, in gitten hold of the deposits out of Squibb's Bank, and shiffin 'em round among a good many Banks. You see the "Government" has been doin a good deal in the way of glory and reform, and a good many folks found that was the easiest road to faval on; but the worst on't was, Congress could'n't make no appropriation to pay for Glory, and Squibb Biddle kept his accounts so snug "The Government" could'n't git a dollar out of his Bank without the people's knowin on't.



and so the way to get at the child was to set the folks to work, first yelling like all natur' 'bout the monster, and when they thought the people would agree to it, slap dash! 'The Government went right at the Bank, and took the money out on't, and put it first in the pet Banks, and then began to hustle and shuffle it about from one end of the country to the other; and I calculate by this time, a pretty considerable share on't has gone to 'Glory,' and the rest on't has gone along with some of the other lost rights of the States, that Mr. Van Buren used to tell about a spell ago.

I hear a good deal said here, but I don't know sartin' yet myself, that there is a real trouble among some folks about 'The Government,' and 'The Government' itself, and over and above quiet. There is one way to get the General and all his folks out of the scrape they have got in, and that is, for Congress to pass a law right off, sayin', 'That no man shall be allowed to fidget up, or examine into any account made out by 'The Government,' but to take it all for law and gospel, so long as the General puts his name on one on't, and Amos Kendle puts his'n on tother; and if any man, in or out of Congress, should dare to stoop into such accounts, this General should be allowed to try him under the 2d section.

If the Senate had been like tother house this session I do rely believe some such a law would be a ben' and every thing now about 'The Government' would be as straight as a bean pole, instead of bein' all turn'd upside down, and as crooked as a ram's horn.

In your last letter to me you want to know how things are workin' in the Cabinet, and how things are goin' to work. Well, that's pretty hard tellin'—and I don't believe any mortal can tell yet; it will be like to work one way or 'tother pretty soon now; but which way, or what way, is hard to say, tho' I have my notion about it.

I was pretty much so when I was a boy. I went out huckleberrin', and not been very particular, I suppose I eat a little too many on 'em, and afore I got home I was amazin' sick. I could just reach home and that was all. My poor old mother was desparately frightened; and she went right out and scrap'd some Elder bark to make tea on, and I took a good drink as hot as I could swallow it; but this made things worse, I tell'd over one way and she umbled me back 'tother way, and to rights she sent for Doctor Parsons, and in he comes, and says he, Miss Downing, what on earth's the matter, says he? and so he tell'd him all she know'd about the huckleberrys, and about the Elder bark tree.

Well, says he, Miss Downing, there is nothing in all creation so good as elder bark tea, says he; but stop says he, Miss Downing, how did you scrape that bark? for you know, says he, if you scrape it from the root upwards, then the tea makes a good vomit as ever was; but if you scraped it 'tother way, then, says he, it's all wiy worse; and with that my poor good old mother drop'd the tea pot right out of her hand. Well, says she, Doctor, then I see just how it is, and why my dear boy is sufferin' so shockin'. For, says she, I scraped that bark both ways.

Well, then, Miss Downing, says the Doctor, all I can say about it is, there is no wiffin' right off what will be the end on't, and that's pretty much all that can be said about the Cabinet troubles at present.

From your friend,  
J. DOWNING,  
Major, Downingville Militia 2d Brigade.

### Funeral Honors—Lafayette.

HEAD QUARTERS OF THE ARMY,  
ADJUTANT GENERAL'S OFFICE,  
WASHINGTON, June 21st, 1834.

The Major General commanding the army, has received through the War Department the following 'General Orders' from the PRESIDENT OF THE UNITED STATES:

GENERAL ORDERS,  
WASHINGTON, June 21, 1834.

Information having been received of the death of General LAFAYETTE, the President considers it due to his own feelings, as well as to the character and services of that lamented man, to announce the event to the Army and Navy.

LAFAYETTE was a citizen of France, but he was the distinguished friend of the United States. In early life he embarked in that contest which secured freedom and independence to our country. His services and sacrifices constituted a part of our Revolutionary history, and his memory will be second only to that of Washington in the hearts of the American People. In his own country, and in ours, he was the zealous and uniform friend and advocate of rational liberty. Consistent in his principles and conduct, he never, during a long life, committed an act which exposed him to just accusation, or which would expose his memory to reproach. Living at a period of great excitement and of moral and political revolutions, engaged in many of the important events which fixed the attention of the world, and invited to guide the destinies of France at two of the most momentous eras of her history, his political integrity and personal disinterestedness have not been called in question. Happy in such a life, he has been happy in his death. He has been taken from the theatre of action, with faculties unimpaired, with a reputation unquestioned, and an object of veneration wherever civilization and the rights of man have extended; and mourning as we may and must his departure, let us rejoice that this associate of Washington has more, as we have him,

of national gratitude, which passes from strong was his hold upon the affections of the American People.

One melancholy day, when the last Major General of the Revolutionary army had died. Himself a young and humble participant in the struggle of that period, the President feels called on, as well by personal as public considerations, to direct that appropriate honors be paid to the memory of this distinguished Patriot and soldier. He therefore orders that the same honors be rendered on this occasion, at the different military and naval stations, as were observed upon the decease of Washington, the Father of his Country and his contemporary in arms.

In ordering this homage to be paid to the memory of one so eminent in the field, so wise in council, so endeared in private life, and so well and favorably known to both hemispheres, the President feels assured that he is anticipating the sentiments, not of the Army and Navy only, but of the whole American People.

ANDREW JACKSON.

In obedience to the commands of the President, the following Funeral Honors will be paid at the several stations of the army:

At daybreak twenty-four guns will be fired in quick succession, and one gun at the interval of every half hour thereafter till sunset.

The flags of the several stations will, during the day, be at half mast. The officers of the Army will wear crapes on the left arm for the period of six months.

This order will be carried into effect under the direction of the commanding officer of each post and station, the day after its reception.

By command of Major General MACOM, Commanding in Chief:  
R. JONES, Adj't General.

And America! how will the voice of

The friend of her Washington—the last link that bound his living memory with her present greatness—the first in her affections—the first in her gratitude—whose memory will live last in her remembrance. Lafayette! thou great and good! the time will never come when the recollection of thy virtues and thy services will be effaced from the heart of the country of thy adoption, and to which thy exertions so greatly contributed to give rank among the nations of the earth.

This is not the time, and not the place, to give that view of Lafayette's character to which it is entitled. What vicissitudes of political life have been his! He commenced his career when the light of the most dazzling period of the lofty monarchy of France was still bright upon the land. Actuated by the impulses of his generous enthusiasm, he enlisted his energies in that infant cause of liberty, which attained a vigorous manhood in America, and stretching across the wide Atlantic, soon grew to a giant's might in his native land. 'The Royal Ship of France went down.' The feudal rule of a thousand years was supplanted by the genius of Revolution, which, drunk with license, and mad with new-found power, stalked on from desolation to desolation, subverting all, controlling all, destroying all,—until mankind grew sick with horror, and turned frightened from the sight.

But Lafayette had no part with its blood, its terrors, or its crimes—his voice was heard above the storm—the pure serenity of his principles prevailed at last, and for a moment France seemed to have settled into the grandeur and dignity of regulated freedom. Then came the iron sway of a sterner but more imposing despotism. Napoleon went on from conquest to conquest—gathering glory from successive victories—and concentrating the Nation's energy with his own fame and power, till the bubble burst, and he fell, crushed beneath the massive weight of the edifice he had created.

Lafayette never bowed down to the splendid idol. When the world went wild with adoration,—aloof and in retirement, the republican General, unswayed, unflattered, and unimpaired, preserved his consistency and his principles. The Bourbons, supported by the bayonets of the Holy Alliance, returned to the throne which mocked their imbecility. The patriot of 1787 was true to himself in 1814. He had no common cause with men whose promises were faithless—whose presence was an incubus on the land. And in the hundred days, still faithful to the guiding principles of his life, he distributed the suspicious love for constitutions, when found in the despot master of the Confederation of the Rhine.

When the dynasty of Napoleon was crushed by the arm of England never to rise, on the plains of Waterloo—the unseduced pureness, and far-reaching wisdom of Lafayette saved the nation from the tremendous horrors of a protracted struggle which the defeated and desperate monarch could have created.

For fifteen years, the chafed and uneasy nation again endured the Bourbon sway. Lafayette, throughout, distressed them—and when, with madness weak as it was wicked, they attempted in 1820 to wield the sceptre of Louis the Fourteenth, and they fell, in an instant, beneath the fearful re-action they had created, the all-powerful character and spotless integrity of Lafayette was interposed to save the nation. All France was in his hands.

With the ease of instant determination he might have stepped into the vacant throne—but he preferred the greatness of saving his country to the glory of ruling it. His conduct then, completed his renown, and gained him a distinction of pure and unadulterated fame, which no public character ever before attained.

From that time he has remained the idol of his country and the wonder of the world—the man whose character and whose consistency alone preserved the nation.

Acknowledged by all to be the man who held the jarring destinies of Europe and of the earth in his hand—acknowledged by all, and proved, by events, to have been the only man existing who could not abuse his trust, who could not be tempted by his situation.

Such, in a few words, was Lafayette—the morning star of one Revolution, and the guiding light of another—he lived to see his principles triumphant and his glory complete—by saving his country at the most tremendous crisis of its whole history—and he has gone down to the grave with an honor, a celebrity, and a purity of reputation rarely, if ever before attained by any public character.

*N. Y. Com. Adv.*

Coincidence.—The 20th of May—the day on which Gen. La Fayette expired—is somewhat marked in Chronological history. On that date of the month, American Vespucci sailed on his first voyage of discovery, and that date of the month, witnessed the last mortal agonies of Christopher Columbus.

On the 20th of May, General La Fayette, with an inferior force, defeated the British General, Grant, who, at the head of 7,500 men, attempted to surprise the Marquis at Barrenhill. La Fayette's request on that occasion, was pronounced to be a masterly military manoeuvre.

It was on the 20th May, at a later period, that La Fayette's hopes of a free French republic, experienced a total destruction, in the ceremony where Napoleon

of France, and the towering idols of exploded despotism will exult in the removal for ever from the scene of life, of the incorruptible patriot—the sway of whose holy principles made them shake and tremble on their lofty thrones.

And America! how will the voice of

These coincidences may appear somewhat trivial, but they are curious, and worthy of a passing notice.

*Albany Dai. Adv.*

Most of our cities have paid funeral honors to Gen. Lafayette.

WASHINGTON, June 25.

The Senate, in the consideration of Executive business. In the course of the sitting, the nomination of ANDREW STEVENSON, as Minister to England, and of ROGER B. TANEY, as Secretary of the Treasury, were rejected; and the nomination of BENJAMIN F. BUTLER, as Attorney General, was confirmed.

The following are the Yeas and Nays on the nomination of Mr. Stevenson as Minister to England:

Those who voted in the affirmative, are—Messrs. Benton, Black, Brown, Foran, Frelinghuysen, Grundy, Hendricks, Hill, Kane, King, of Ala., King, of Geo., Linn, Morris, Robinson, Sherman, Tallmadge, Tipton, Tyler, Waggaman, White, Wilkins, Wright.—22.

Those who voted in the negative, are—Messrs. Bibb, Calhoun, Chambers, Clay, Clayton, Ewing, Kent, Knight, Leigh, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Webster.—23.

The vote on the nomination of Mr. Taney was—yeas 18—nays 28.

It appears by an answer of the President to a call of the Senate, that Mr. Stevenson had been promised this mission so long ago as March, 1833, and, of course, with this promise in his pocket, he would pay all deference to the wishes and views of the President. That he did so, in his situation as Speaker of the H. of Representatives, during the past session, was too palpable to be overlooked by the Senate.

The reader will perceive that, by a unanimous vote, Resolutions were yesterday sanctioned in the House of Representatives (which will no doubt meet the like unanimous approbation of the Senate), for paying due honors to the memory of LAFAYETTE.

The reader will also discover that the Bill for regulating deposits of public money in the local Banks, has passed the House of Representatives by a considerable majority, but which it is presumed, no individual who voted either for it or against it expects to pass the Senate.

The Resolutions reported for paying funeral honors to the memory of the great and good LAFAYETTE, yesterday passed the Senate as unanimously as they had before passed the other House. Both Houses of Congress in consequence are now clothed in the habiliments of mourning.

The Resolution to require the Post Office Committee to continue its investigations during the recess of Congress, moved by Mr. SPRAGUE, yesterday passed the Senate by a majority which proves the deep sense which even the friends of the Administration in that body entertain of the necessity for a thorough purgation of the Post Office Establishment. The "searching operation" is not yet at an end; indeed scarcely begun.

From the National Intelligencer.

Rejection of Mr. Stevenson as Minister to Great Britain.

During the present arduous session of Congress, the Senate has had many highly responsible duties to perform. It has stood alone, the sole barrier to the alarming progress and pretensions of Executive power. If it has drawn down upon itself Executive vengeance, it has ample consolation in the confidence and affections of the People, which its faithful and fearless discharge of its important duties has procured. No part of those duties is probably more offensive to the Executive, nor more painful to the Senate, than that in which it occasionally finds itself obliged to withhold its advice and consent to nominations made by the President.

The intent and design of the Constitution clearly were, whilst it left him free to exercise his own uncontrolled judgment in official nominations, to leave the Senate equally free and independent in deciding whether its advice and consent, in any particular case, ought to be given or withheld. The present Chief Magistrate has thought proper to prescribe all that large and respectable portion of his fellow-citizens who believed it their duty not to concur in his elevation, and to confine his appointments to the circle of his supporters. The Senate might have refused to lend itself to the enforcement of such an intolerant and exclusive rule; but it has not.

It has never rejected any nomination upon the mere ground of party predilection. It has only expected that, in selecting individuals for public trust and employment, from among his own supporters, the President would present to its consideration such names as it could conscientiously approve.

Public speculation has been active in respect to the nomination of the late Speaker of the House of Representatives; and his rejection, which has taken place, was not unexpected. The injunction of secrecy is now removed, to a certain extent; and enough is disclosed to convince the public that, if there had been a contrary decision, just ground of complaint and surprise would have existed. The Senate felt a reluctance to refuse its concurrence to a nomination for the British mission, which has been so long vacant. Of all foreign Powers, there is not one with which our relations of commerce, of navigation, and of territory, are so intimate as Great Britain. Such is their

is not a year, nor a day of any year, when there is not pending at the Court of St. James some transaction demanding the presence of a Minister of the first grade. It is more than two years since the interests of the U. States were represented in England by such a Minister. Why this

delay? If, as the President has intimated, negotiations were broken off in consequence of the return of Mr. VAN BUREN, what would be the precise cause?

advice of the Senate, why have they been allowed so long to slumber? Why have the affairs of the U. States, for more than two years past, been confided to the inexperienced hands of a young man, who, a short time ago, was (no disparagement to his personal merit) a subordinate clerk in the Department of State? It is scarcely credible that a vow of sending no successor to Mr. VAN BUREN, imputed to the President at the period of his rejection, has been observed by him until he has been compelled to break it by Great Britain insisting that the two countries should be reciprocally represented by diplomatic agents of equal grade. It will be seen, in the sequel, that the mysterious veil is partially removed by the disclosure that, for upwards of fifteen months past, the mission to England has been kept in abeyance, for the benefit of Mr. Speaker STEVENSON.

It is well known that some Senators, who compose the majority of the Senate, without laying down any inflexible rule of exclusion, as to the appointment of members of Congress to distinguished stations, in ordinary times, believe that the present Chief Magistrate has passed his patronage to an extreme limit in the halls of Congress. In the short space of about five years, offices have been bestowed upon those who were Members of Congress at the respective periods of their appointment, or within one year preceding, the extraordinary number of thirteen Senators, and twenty-five members of the House of Representatives.\* This number exceeds that which was ever appointed under any prior Administration of eight years. Nay more; it is believed to be about equal to the number ever appointed by all the Presidents together who preceded Gen. JACKSON. The offices which he has thus conferred on members of Congress embrace every description of trust from a Secretary of State down to a Collector of the Customs, a Deputy Postmaster, and a Clerk at Washington. And this profuse exercise of his patronage has been, after a deliberate condemnation of the practice made by him when out of power, to the Legislature of his own State, on the 7th of October, 1825, on the memorable occasion of resigning his seat as a Senator of the U. States, when he explicitly declared that, if "important appointments continue to devolve on the Representatives in Congress, it requires no depth of thought to be convinced that corruption will become the order of the day; and that, under the garb of conscientious solicitude to establish precedents for the public good, evils of serious importance to the freedom and prosperity of the Republic may arise. It is through this channel that the People may expect to be attacked in their constitutional sovereignty, and where tyranny may be apprehended to spring up in some favorable emergency." Without meaning to impute to the President any settled design to overthrow or jeopard the liberties of his country, it must be admitted that those predictions are of easiest fulfilment which are made by persons possessing means to accomplish them. It is true that the observations of Gen. JACKSON, just quoted, were made to enforce the necessity of a prohibitory amendment of the Constitution. But, if the practice of appointing members of Congress were fraught with such danger, in his judgment, as to require a solemn interdiction to be grafted on the Constitution, surely he could, in the administration of the duties of President, conform to a rule so essential to the preservation of the purity of our institutions, without waiting for the tardy and uncertain process of amendment. Washington entertained the belief that no man ought to serve in the office of President beyond two terms; and, by voluntarily conforming to that rule, he has practically remedied a defect in the Constitution, and given an illustrious example of moderation and forbearance, from which no one of his successors has hitherto ventured to depart.

But, without availing itself of these general considerations, the Senate found, in the particular circumstances of the case of the ex-Speaker, irresistible reasons for the rejection of his nomination. It was confidently believed, in the circles here and elsewhere, for more than twelve months past, that he was designated for the British Ministry. No one doubted it. It is even known that his reliance upon obtaining the appointment was so very strong, that he stated, during the last session of Congress, that he would never again be a candidate for the Speaker's Chair. What must the astonishment of the public be when it learns that Mr. Stevenson, since March, 1833, has had in his possession an official assurance from the Secretary of State, written confidentially, on the 15th of that month, with the express authority of the President, that he was to be appointed to the British mission, and requesting him to hold himself in readiness to proceed on it, in the course of the ensuing summer! The delay in filling the mission now starts in part explained. Whether he had any previous verbal assurance is not known. This official as-

\*Appointments by Gen. JACKSON. SENATORS.—Wm. Findlay, Martin Van Buren, John E. Eaton, John Branch, John McPherson Berrien, Louis McLane, John Chandler, Thomas H. Williams, David J. Baker, Edward Livingston, Levi Woodbury, Mahlon Dickerson, Powhatan Ellis.—13.

REPRESENTATIVES.—John W. Campbell, Francis Pickens, Robert S. Garnett, George W. Crump, E. F. Tipton, John Findlay, Daniel D. Russell, G. W. Owen, Thomas P. Moore, Wm. C. Rives, Selah R. Hobbs, Jeannette Johnson, John G. Slower, John Randolph, Philip Barbour, James W. Ripley, John Biddle, Thomas Irwin, James Buchanan, Charles G. De Witt, Hector Craig, Nicholas D. Coleman, Joseph Hammonds, Wiley Thompson, Andrew Stevenson, John Ander-

son.—25.

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influence of the temptation, and fulfilled expectations which were probably entertained by the President, it is hardly worth while to inquire. The acquisition of a splendid mission was within his grasp, in the contingency of his promoting the President's views, as the certain loss of it was the inevitable consequence of his placing himself in an attitude of opposing them. It is perfectly notorious that, by his adherence to particular Executive measures, he has separated himself from the people of his district, and the Legislature of his State. It is also well known that, in the case of certain important Committees, and in the discharge of the ordinary duties of presiding officer of the House, he has excited much dissatisfaction so much, that, although it is upwards of three weeks since he resigned the Chair, the House has not adopted the customary vote of thanks.

An example of a more direct, daring, and dangerous influence brought to bear, in a critical period, by the President, upon the presiding officer of the House of Representatives, could not be imagined. And if the Senate had confirmed the appointment of Mr. Stevenson, all further resistance to the appointment of Members of Congress, under any circumstances, would be vain and useless.

The whole proceedings of the Senate, so far as the injunction of secrecy has been removed, are now submitted to the public, which will draw its own conclusions.

Among the measures of the present session, which are likely to become laws, are the bills for regulating the currency of foreign and domestic Gold Coins, which are not unimportant, but to which a consequence has been given in some of the journals of the day to which they are not entitled.

The whole effect of this legislation, if carried out into law, will be, as we understand it, to re-adjust the proportion of value between Gold and Silver Coin. By our law, as it now stands, that proportion is as 15 to 1. But that proportion puts gold relatively too low, as is shown by the fact of its being exported to countries where it bears a higher relative value. At other mints than ours, the proportion of silver to gold is as 15 to 1, up as high as 16 to 1. In Spain, for example, and in the Governments of South America originally established by Spain, the value is at 16 to 1. The effect of thus undervaluing gold is, that nearly all our gold goes abroad for a better market than our own, and leaves silver, at all practical purposes, the only metallic basis of our circulation.

The inhabitants of Boston, New York, and other commercial places have great earnestness. Some weeks ago, it may be recollected, several petitions on this subject were presented in the Senate, and the Committee on Finance of that body avowed their readiness to move in the matter, if the other House did not. Since then the subject has undergone decisive action in the House of Representatives, and the Gold Coin bills, having passed that body, are now before the Senate.

The bill which proposes to establish a new proportion between gold and silver fixes it at 16 for 1. The only doubt as to the expediency of this measure may be, whether it be not rating gold a little too high. The more exact proportion is supposed, by those who have examined the subject, to be as 15.865 to 1. The Southern gold-producing country, however, being naturally anxious that gold should be placed at as high a valuation as will be safe, it is most likely that the proportion proposed to be established by the bill of the House will not be disturbed, and that the bill will become a law as it stands.

This measure, it will be seen at once, can have no considerable effect on currency and exchange. Paper of some sort (credit, in a word,) must ever, in free countries, constitute the mass of the circulating medium. A golden eagle is a pretty thing, but a good ten dollar bank-note is a more useful one, from the facility with which it can be transferred and remitted. Still more valuable in larger amounts, of course, is good paper than metal. Let a single fact illustrate this position: The office of the Bank of the U. States, at New Orleans, advertises, on the 6th of this month, to draw checks at par on Boston, New York, Philadelphia, and Baltimore. A merchant at New Orleans, who wishes to remit one thousand dollars, or ten thousand dollars, so long as the Bank of the United States exists, to New York, can do it without the least possible risk, and without any other expense than that of postage, by means of a bank draft. If he had no other means of remitting it than in the shape of gold and silver coin, the remittance of his thousand dollars (with equal assurance of safety) would cost him twenty dollars, and he could not, in ordinary times, remit any larger amount at any less proportionate cost. The madness and folly of pulling down, or even tampering with, a system which works so happily, are beyond the reach of either fact or argument.

Nat. Int.

Remarks of Gen. Jackson, in the Senate of the U. States, June 18.

Mr. McKean said, he did not rise to interfere with the prerogative of the honorable Senator from Connecticut, nor would he obtrude upon the Senate his opinions of the merits or demerits of the memorial just presented by the honorable gentleman. He had generally found it to be the best policy to mind his own business; but he considered the present a legitimate occasion, in parliamentary order, as connected with the same subject, to correct some mis-statements which were going the newspaper rounds, in reference to himself. It had, he knew not how, got into print that he should have said in his place,

as Senator, that a majority of the citizens of Pennsylvania were opposed to the restoration of the deposits. Now he avowed in the face of the whole Senate, that he had never publicly or privately said any such thing; nor should he now presume an opinion the one way or the other. What he had said on the subject was strictly confined to the opinions of the petitioners whose memorials he was at the time about to present; and then only in cases where he had been by letter, or otherwise, requested to do so. Why, sir, said Mr. McKean, it might be considered presumptuous, if not impertinent, for a Pennsylvania Senator to venture an opinion on this floor, as to the general political character of the State, when there are so many other gentlemen on either side of the question who seem to understand precisely, not only what the present sentiment of the people of Pennsylvania is, but what it will be in time to come; and from these erroneous statements, it had been ungenerously inferred that he, Mr. McKean, was not quite as good a Jackson man as he ought to be. It was not, he said, because he was apprehensive, if this should reach the ears of the Executive, that it would deprive himself and his family of their daily bread, that he noticed it but he did not like to risk the injurious effects that might result to his State and constituents, by thus insidiously frittering away his well known influence with the present Administration. He had, on another occasion, said he would vote to restore the deposits—not because his own mind had changed; nor because he believed that the restoration would afford the desired relief, but because a very large majority of his constituents, who had expressed any opinion on the subject, had asked for a restoration of the deposits as a measure of relief; and for so doing, he had been prescribed and denounced as a traitor, by a certain well disciplined corps, who had ceased not, day nor night, to pursue him since a certain period in 1829. He did not complain of this; very far from it. He ought rather to rejoice. For though he could, in truth, boast of as true and faithful friends as any man ever had, he had long been convinced that his enemies had rendered him more essential service than his friends.

But, said Mr. McKean, how stands this case? He held in his hand a statement, made by one of the under secretaries, from the Senate files, showing the number of individuals from Pennsylvania who had petitioned that body to restore the deposits, and also the number of those who had remonstrated against the restoration. This included all who had actually signed memorials, on both sides, which had been presented to the Senate during the present session, from Pennsylvania, and stands thus: from the counties of Union, Cambria, Northampton, Cumberland, Montgomery, Adams, Mifflin, Northumberland, Bradford, Susquehanna, Chester, Delaware, Lycoming, Huntingdon, Franklin, Lancaster, Schuylkill, Berks, Allegheny, Philadelphia county and city, Pittsburg, Momyensing and Southwark, Oxford, Myberry, Waynesborough, Tamaqua, Germantown, Bristol, Pottsville, and Muncy Creek, (towns and villages,) forty different memorials signed by thirty-eight thousand and seven hundred freemen of Pennsylvania; complaining of distress, and praying for a restoration of the deposits; and opposed to the same, Pennsylvania, are six, and only six, memorials from Philadelphia, and Pittsburg, and the county of Schuylkill, signed by only five hundred and seventy-one individuals, who remonstrated against the restoration of the deposits; exhibiting a disparity of more than 67 to 1, and an aggregate majority of thirty-eight thousand one hundred and twenty-nine in favor of restoring the deposits. What is the duty of a faithful representative of the People, under such circumstances? Shall he, because all have not complained, turn a deaf ear to thirty-nine thousand who have laid their petitions at his feet? In giving his vote for the restoration of the deposits, he had not consulted the mere will of the Executive, nor that of any other individual; nay, he had not consulted his own will.

He was what he professed to be, the sincere friend of Andrew Jackson, though he detested many of the reputes that were basking in the beams of his effulgence; and without an authority, presuming to act and speak in his name. But he was also on that floor, the humble representative in part of the people of Pennsylvania, and if he understood their interest, and knew their will on questions of mere expediency, he would advocate the one and obey the other, please or displease whom it might. He was a party man as far as conscience would permit. He abhorred and condemned alike, a capacious opposition, and a blind and sycophantic devotion to any administration.

He desired to examine this a little further. He had another statement made out by the same officer from the files of the Senate, showing that there had also been presented from Pennsylvania, resolutions and proceedings of thirty-five meetings of the People in their primary assemblies. Also, eleven corporate bodies and resolutions, and proceedings of one general State Convention, making in all forty-seven; all recommending that the public deposits be restored; and on the other side, there have been only resolutions of twelve meetings of citizens opposed to the restoration presented to the Senate from Pennsylvania.

Supposing the question to be tested exclusively on party ground, and let the friends of Gen. Jackson only be heard, he was certainly within bounds when he said, that of the thirty-eight thousand seven hundred petitioners, there was at least 8000 of them Gen. Jackson's sincere friends, and very many of them his most active supporters; and several of them, as well as himself, were members of the electoral college in 1829; and gave him their votes. Then we have 8000 against

571; about 14 Jackson men in favor, to one Jackson man opposed to the restoration. So consider it in what light you please, either as a question of general expediency, or as a purely party question, his vote was correct; if the will of the people, as expressed, was to be considered at all binding, upon the Representative. He had conscientiously listened to the complaints of the People; and if that be treason, let his enemies make the worst of it.

The memorial was then referred to the Committee on Finance and ordered to be printed.



GETTYSBURG, Pa. June 30, 1831.

Flour in Baltimore \$5 to \$5 12 1/2.

Lafayette.—A meeting of the citizens of Gettysburg is requested at the Court-house this Evening, at 7 o'clock, to take into consideration the propriety of paying funeral honors to the distinguished Lafayette.

We are requested to state, that the Stores in this place will be closed on the 4th of July.

Under the expectation that the "Aurora" would take an active stand against executive usurpation, we published a prospectus for its revival. Since that, we have seen a publication from its contemplated editor, justifying the President in all his late erroneous conduct.—We have, in consequence, removed the prospectus from our columns.

The hail-storm of yesterday week was very destructive to the grain and corn crops, two or three miles below this town.—In some instances, we regret to say, more than one-half was destroyed.

Cattle Sale.—The sale of the Stock of the late Jacob Drury, Esq. of York, took place on Thursday last. An evidence of the value of the breed of Cattle raised by him; we give the following list of prices which were obtained at the sale for some of the stock:

Full-blood Cow, sold for	\$150 00
" Heifer,	130 00
" " 11 months,	86 25
" Calf, 3 "	60 50
" Bull, 15 "	181 00
3 quarter Heifer, 24 "	70 00
" " " "	84 00
Seven-eighths Calf, 3 "	30 25

Our readers will find it mentioned in another part of our paper to-day, that Mr. TANNEY and Mr. STEVENSON, who were nominated to the Senate, have been rejected by that body. Mr. Tanney immediately resigned his situation as Secretary of State. By our advices from Washington, we learn, that on Friday evening the President nominated to the Senate, Mr. FORSYTH, (Senator from Geo.) as Secretary of State; Mr. WOODBURY, (at present Secretary of the Navy,) as Secretary of the Treasury; and Mr. WILKINS (Senator from Penn.) as Secretary of the Navy. The two former were immediately confirmed by the Senate of the latter we have not heard.

The disturbances on the rail-road have ceased; and a regular treaty of peace has been entered into between the contending parties.

WASHINGTON, June 28. The session of Congress; it is now certain, will close on Monday next, according to the resolution which some days ago passed both Houses, and is now irrevocable without the consent of both.

Both Houses sat last night to an hour much later than that at which this paper was necessarily put to press. In the House of Representatives a great variety of business was acted on in the course of the day and night, amongst which the bill for paying certain Georgia Claims was, after debate, passed by a vote of 90 to 60; the Fortification bill was also passed; the Light House bill was passed, by 105 votes to 81; the West Point Appropriation bill was passed, 119 to 55. These bills all have yet to pass the Senate.

The Cumberland Road bill has been approved by the President, and is now a law. It appropriates \$200,000 for continuing the road in Ohio, \$150,000 for Indiana, and \$100,000 for Illinois—\$450,000 in all.

The further sum of \$300,000 is appropriated for repairs of the Road on this side of the Ohio, and to carry into effect the laws of Maryland, Pennsylvania, and Virginia. When that amount is exhausted, the act directs the road to be surrendered to the States within which it lies—the United States to be discharged from all further liabilities for repairs.

Not to be outdone by the Senate, a Resolution yesterday passed the House of Representatives, at the suggestion of the Post Office Committee, of that body, to appoint a select Committee, to sit during the recess, to investigate and report upon the affairs of the Post Office Department. As no debate preceded or accompanied this motion, we are somewhat at a loss how to take it. If this Committee be intended to follow up the good work in which the Senate has been the pioneer,

it will be well. If the Committee be intended for any other purpose, it is very certain that it will not answer that purpose. Nothing but full inquiry and development of the abuses, now admitted to exist, can satisfy the country.

Col. Crocker says, the appointment of this Committee puts him in mind of what sometimes happens away up yonder in his country. A bear will catch a stray hog on the outskirts of a plantation, and devour him entirely, from snout to tail, except his bones. The owner of the plantation, mightily wroth at this depredation, when he finds it out, will load his rifle, mount a tree, and, perched in it all night long, will watch the place where the bear had eat up his hog.—Nat. Int.

More Shipwrecks.—The Montreal Gazette, of Thursday last, contains some particulars of two other losses at sea, not hitherto reported. One, the Proselyte of Limerick, with 223 passengers, all of whom have been safely landed at Richibucto, (Nova Scotia,) in a lamentable state of misery, and the other, name unknown, and her destination described, as being from the west of England, with two hundred and eighty passengers, seven of whom only are saved.

Captain Morris, and thirty-six of the passengers of the Isabella, wrecked on St. Paul's Island, have reached Miramichi.

The Cape Bretonian gives a detail of the burial of some of the bodies of the two hundred and forty-eight persons who perished in the Astrea, off the rocks of the Little Loran Head. The fishermen, who dwell near the scene of disaster, have been engaged in rescuing the bodies from the deep and committing them to a rude but decent grave. About twelve bodies a day are obtained and regularly buried before sunset.—N. Y. Com. Adv.

Week before last, Felix Murray was tried and convicted of murder in Philadelphia, and sentenced to be hung. By an act of the last Legislature, all executions in this State in future must take place within the walls or yard of the jails, in the presence of a limited number of spectators, and no person under age is to be suffered to witness them.

United States Senator for New Hampshire.—On Thursday last the Hon. HENRY HUBBARD, at present in the House of Representatives, was elected by the Legislature of New Hampshire, a member of the U. S. Senate, in place of Samuel Bell, the present opposition Senator, whose term of service will expire on the third of March next. Mr. Hubbard is a friend of the National Administration.

Boston Post.

From the Ebensburg Pa. Sky.

RAIL ROAD ACCIDENTS. It becomes our melancholy duty to record three disastrous deaths which have occurred on the Portage Rail Road. On Saturday last a car broke loose at the head of Plane No. 1, and descending with inconceivable velocity, struck against and broke one of the posts of the shed at the foot of the plane. A respectable stranger, the only person in the car, was thrown by the violence of the concussion, a distance of sixty feet, upon a slope wall, from which he rolled into the Conemaugh. He was immediately taken out. Life was not extinct, but his skull was fractured and his body much bruised. Medical aid was procured as soon as practicable, and every attention given to relieve his suffering; but in vain. He languished in a state of stupor until Sunday evening, when he lifeless.

From the papers found in the possession of the deceased, it appears that his name was Joshua Fayle, and it is supposed that he is a native of Ireland. He has been engaged for some years as a mercantile clerk. Among the papers are letters of introduction from James Wilson, C. W. Gazzam and Samuel N. Bonnell, of Cincinnati, and from Watson and Gibson, of Nashville, all recommending him for his good character and qualifications.

The papers, clothing, &c. of the deceased, are in the care of Mr. John Caphart, at the foot of Plane No. 1. On Monday last, Mr. Michael Gillan, of Summerhill township, in this county, was sitting on the front part of a train of Cars, in company with Messrs. John Hammond, Thomas Pipes, and Layton, the Captain of the Cars. In the attempt to gain the centre post between the turn-outs near plane No. 3, the train came in violent contact with another approaching from the opposite direction. As soon as the danger was perceived, all except Gillan, leaped from the Car. He, not possessing equal presence of mind, continued in his seat. When the Cars met, he was crushed between them and instantly killed. Mr. Gillan has left four small children to mourn the unfortunate death of the last of their parents, their mother having died only a few weeks since.

On the same day, a woman said to be of the name of Moushan, was killed by a Car passing over her at Plane No. 10.

Extraordinary Fact.—A little boat, called the Caroline, recently arrived in Buffalo harbor, which was built in South Carolina. She made her way via Quebec to that place, and is bound for the Mississippi, through the Lakes.

On Friday evening, about seven o'clock, one of the powder mills of Mr. Dupont, near Wilmington, was blown up. One person was killed, and about one thousand pounds of powder burnt.

EARTHQUAKE AT SANTA MARTHA. We learn from Capt. Spenser, of the brig Medina, 16 days from Rio Hacha, (New Granada,) that intelligence was received there on the 20th ult. of a severe earthquake, or series of earthquakes, at Santa Martha on the 22d, 23d, 24th, and

25th, which destroyed the principal edifices, and materially injured the whole city.

The first and most severe shock lasted about 45 seconds, and was followed in about 5 minutes by another of nearly equal severity and duration. In the course of that and the next 4 days, no less than 60 shocks were experienced; and at the latest accounts they had not ceased.

The earth opened, in many places to the width of 6 inches; and warm sulphurous water was thrown forth.

No lives were lost,—which is attributed to the fact that the first and most severe shock took place while the inhabitants were in their houses; as the falling of the tiles, &c. would most probably have caused the death of great numbers, had they been in the street at the time. Several persons, however, were severely injured.

The city was completely deserted at the latest accounts, the citizens having removed into the country, with the exception of a few persons who were living in tents on the beach.

The first shock was severe at Rio Hacha, and fears were expressed that the few buildings of brick in the place would fall; as they were discovered after the first shock to be slightly injured. The greatest part of the buildings being built on stakes, were comparatively secure from falling.

No accounts had been received from Carthage, which it is feared may have suffered also.

Resolutions, very strong and decisive, against the conduct of the Post-Master-General, have passed the Senate, with great unanimity.

MARRIED.

On Thursday last, by the Rev. F. Ruthrauff, Mr. John Smith, of Cumberland township, to Miss Eliza Anders, of Paney-Town, Md.

DIED.

On the 14th inst. Mr. Valentine Heaf-light, of Hamilton township, aged 81 years.

On Wednesday last, Mrs. Sarah McAleer, wife of Mr. Charles McAleer, of Cumberland township.

At Hanover, on the 21st inst. Mr. John Adam Forney, in the 77th year of his age.

At Economy, Beaver county, Pa. on Tuesday evening last, after a lingering illness, Mr. FREDERICK RAPP, in the 60th year of his age.

A Card.—The Committee of Arrangement of the Gettysburg Guards, respectfully invite the citizens of the borough and adjacent country to join them in the celebration of the anniversary of American Independence.—The dinner will be served up at the Inn of Mr. A. B. KURTZ. June 30.

## TAILORING.

THE Subscriber respectfully informs his friends and the public, that he has commenced the

## Tailoring Business.

in the room over the office of SAMUEL R. RUSSELL, Esq. opposite the Bank, where he is prepared to execute all work in his line in a neat, fashionable, and substantial manner, at moderate rates; as he will receive the FASHIONS, quarterly, he feels confident of pleasing.

Country Produce taken in exchange for work. R. MARTIN. Gettysburg, June 30.

## GERMAN BOOKS.

THE following German Works are for sale at the Book-store of the subscriber:—

Arndt's True Christianity, Fox's Book of Martyrs, Pealsterspiel, Stark's Prayer Book, Wandelnde Seele, Francke's Leben, Habermans Prayer-book, Dr. Schmucker's Church History, Lutheran Hymn-books, Reformed, Gemeinliche do, Lutheran and Reformed Catechisms, Mentz's large German-English & English-German Dictionaries, And a large and general assortment of GERMAN BIBLES AND TESTAMENTS, fancy & common binding. SAMUEL H. BUEHLER. Gettysburg, June 30.

## AtanOrphans'Court.

HELD at Gettysburg, for the County of Adams, on the third day of June, A. D. one thousand eight hundred and thirty-four, before Daniel Sheffer and Wm. M. Clean, Esquires, Judges, &c. assigned, &c.

On motion.

The Court Grant a Rule On all the Heirs & Legal Representatives of

SOLOMON BOWERS, deceased, to wit: Elizabeth, intermarried

with Abraham Asper, Amy, intermarried with Joseph Hughes, Ephraim Bower, Rebecca, intermarried with Michael Elum, Maria, intermarried with Henry Spahr, Daniel Bower, and Moses Bower, or the Guardian of such of them as are minors, to be and appear at an Orphans' Court, to be held at Gettysburg, for the county of Adams, on the twenty-fifth day of August next, to accept or refuse to

the valuation made thereof, agreeably to the intestate laws of this Commonwealth.

By the Court, JOHN B. CLARK, Clerk. June 30.

Cash paid for Linen and Cotton Bags at this Printing-Office.

LOUIS J. GODEY

Author and Proprietor of THE

## LADY'S BOOK.

A MONTHLY MAGAZINE.

Containing Tales, original and selected, Moral and Scientific Essays; Poetry, from the best Authors; the Quarterly representation of Lady's Fashions, adopted in Philadelphia—Colored Music, of the newest style, &c. &c. Published regularly on the first day of every month, at No. 3, Athenian buildings, Franklin Place, Philadelphia.

Embellished with a beautiful and extensive variety of Engravings, from original and selected designs, both colored and plain, with two engraved Title Pages, and two distinct Editions, (intended to perfect separate volumes in the year,) also, a choice collection of Music, original and selected, arranged for the Piano or Guitar, with nearly 400 pages large octavo Letter Press, and only Three Dollars per annum.

Each number of this periodical contains 48 pages of extra royal octavo letter press, printed with clear, new and beautiful type, (arranged after the manner of the London La Belle Américaine,) on paper of the finest texture and whitest color.—It is embellished with splendid Engravings on Copper and Steel, executed by artists of the highest skill and distinction, and embracing every variety of subjects. Among these are illustrations of Popular Legends, Romantic Incidents, Attractive Scenery, and Portraits of Illustrious Females. The number commencing each quarter contains a picture of the existing Philadelphia Fashions, designed, drawn, engraved and colored expressly for this work, by competent persons specially engaged for that purpose. The Embellishments of this character which have appeared in former numbers, are acknowledged superior to any which have been furnished in any other similar American publication, and from the Arrangements which have been made, there is every reason to believe they will be improved in the coming volumes. In addition to the Embellishments just referred to, every number contains several engravings on wood, representing Foreign and Native Scenes, curious and interesting Subjects, Natural History, Entomology, Mineralogy, Conchology, Humorous Incidents, Ornamental Productions, Embroidery, &c. besides one or more pieces of popular Music, arranged for the Piano or Guitar.

Every six numbers of the work form an elegant volume suitable for binding, and with these are furnished gratuitously a superbly engraved Title Page, and a general index of Contents.

The typographical execution of the Lady's Book is such that the proprietor challenges comparison with any Magazine, whether EUROPEAN or AMERICAN.—The best materials and ablest workmen are employed, and the most scrupulous regard is paid to neatness, harmony, and uniformity, in the arrangement of the various subjects which compose the letter-press.

The literary department of the Lady's Book comprises every thing which is deemed suitable for that sex to whose use it is principally devoted. Tales, which are distinguished by interesting incidents, vigorous narrative, chaste diction, and the absence of maudlin sentiment; Poetry, in which sense has not been sacrificed to sound, but where glowing thoughts are sensibly expressed; Essays upon pleasing and instructive subjects; Biographical Sketches of illustrious women; Anecdotes, unstained by indelicate innuendoes; lively Romances, and humorous topics cheerfully but modestly treated, constitute, along with descriptions of the various embellishments, the reading of the Work.

Though enormous expenses have been incurred in making this work deserving of the immense patronage it has received, the proprietor does not mean to relax in his exertions. Wherever improvement can be made, he is determined to accomplish it without regard to cost or labor, confident that he will be amply remunerated.

The terms of the Lady's Book are three dollars per annum, payable in advance. Persons remitting TEN DOLLARS shall be entitled to four copies of the work. Persons remitting FIFTY DOLLARS shall be entitled to six copies of the work, and additional copies of the best Engravings. Persons procuring ten new Subscribers, and forwarding the cash for the same, besides a discount of fifteen per cent, shall be presented with a copy of the third volume of the work superbly bound. Uncurrent Notes of solvent banks received at par value.

An extra copy of the work, or any information respecting it, may be obtained by addressing the publisher, (post paid.) June 30.

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